

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JENIERE K. EVANS

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

OFFICER VIET DANG
SGT. DONALD GANNON
NEW YORK CITY
N.Y.P.D.
47th PRECINCT
KAITLIN F. NARES^
FISHER, BYRIALSEN, KREITZER PLLC.

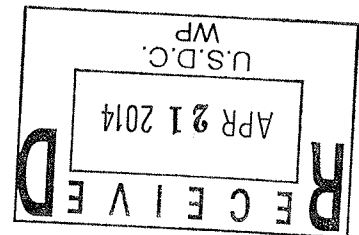
(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

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SA.

FILED

COMPLAINT

Jury Trial: ☐ Yes ☒ No
(check one)



I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name JENIERE K. EVANS
Street Address 67 EAST 175th STREET APT. # 31B
County, City BRONX, NY, 10453
State & Zip Code _____
Telephone Number (347) 759-2133

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name OFFICER VIET DANG BADGE # 19610
 Street Address 47TH PRECINCT
 County, City BRONX, NY
 State & Zip Code NY, 10467
 Telephone Number N/A

Defendant No. 2 Name SGT. DONALD GANNON
 Street Address 47TH PRECINCT
 County, City BRONX, NY
 State & Zip Code NY, 10467
 Telephone Number N/A

Defendant No. 3 Name FISHER, BYRTALSEN & KREITZER PLLC.
 Street Address 291 BROADWAY, SUITE 709
 County, City NEW YORK, NY
 State & Zip Code NY, 10007
 Telephone Number (212) 962-0848

Defendant No. 4 Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____
 Telephone Number _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (check all that apply)
☒ Federal Questions ☐ Diversity of Citizenship
- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? MY 4th, 5th, 8th, 14th AMENDMENTS
WERE ALL VIOLATED.
- C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?
 Plaintiff(s) state(s) of citizenship _____
 Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. Where did the events giving rise to your claim(s) occur? IN FRONT OF MY HOME, ON THE PROPERTY OF 845 EAST 215th ST, BX, NY
- B. What date and approximate time did the events giving rise to your claim(s) occur? 7/4/2013 APPROXIMATELY AT 10:00 P.M.

- C. Facts: SEE: ATTACHED COMPLAINTS

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. FROM THE EXCESSIVE FORCE, I RECEIVED A CUT/GASH TO THE NOSE, A SWOLLEN EYE, AND CUTS/GASHES ON BOTH WRIST, WHICH COST LOSS OF FEELING IN THUMB FROM BEING LEFT CUFFED IN A CELL FOR HOURS. (DIAGNOSIS/NUEROLOGIST) (MEDICAL RECORDS)

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

I BELIEVE, NOT ONLY WAS I RAILROADED, BUT I WAS BEATEN UP, AND I LOST 5 MOS. OF MY FREEDOM, BECAUSE OF LIES, AND NEGLIGENT FOULPLAY BY POLICE OFFICERS. I WAS WORKING, IN TRADE SCHOOL, AND PURSUING MY G.E.D, AND WAS TOTALLY KNOCKED OFF TRACK BY THE INCIDENT. THEY FORCED THEIR WAY ON A PRIVATE AREA, FOUND A (BENCH WARRANT), THEN THREW SOME CHARGES ON ME TO COVER UP THEIR CORRUPT BEHAVIOR.

(CASE RESULT (ACD)) SEE: ATTACHED COMPLAINTS

SEEKING MONETARY COMPENSATION IN THE AMOUNT OF \$ 3 MILLION DOLLARS

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 14th day of APRIL, 2014

Signature of Plaintiff

Yemier K. Eran

Mailing Address

67 EAST 175th ST. APT. # 31B
BRONX, NY, 10453

Telephone Number

(347) 759-2733

Fax Number (if you have one)

N/A

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this _____ day of _____, 20____, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff: _____

Inmate Number _____

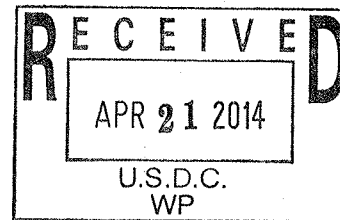
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FISHER, BYRIALSEN & KREIZER, PLLC.

"COMPLAINT"



On the morning of February 17th, 2014, I the plaintiff **Jeniere k. Evans**, went for an initial interview to a law firm by the name of **Fisher, Byrialsen & Kreizer, pllc.**, after explaining my case they had me sign some papers pertaining to medical records, background checks, etc. at the end of the interview I was told to give all the paperwork I had on the case, so it could be overlooked.

On February 19th, 2014, I was told to come in and, get my copy of the fee agreement and, contract of the actual hire of the firm, also to talk about the case a little bit more. I sat down with an attorney by the name of **Kaitlin f. Nares^**, I was told she only saw grounds for illegal detention/excessive force claims, I disagreed and, asked if we could set up the lawsuit so, we could take it to trial if possible, she said it might cost too much.

She said for us to prove anything else we would have to go to trial, and the procedure would be costly. After finishing the conversation we signed onto the contract, about a week later I checked to see if she had put in the notice of claim, because I had an issue prior to coming to see her, plus I was fresh out of jail, I even gave her documented law on why incarceration (tolls) the statue of limitations, and I was told by her assistant she had to do more research on the case.

A couple days later I called and, she basically told me there was nothing she

could do, she hung up the phone on me, leaving me without answers, nor an option to speak with another attorney, since I was in a binding contract, I was not even asked to sign a release form, so I had to go (pro se).

I INTEND TO PROVE:

She in fact, left me in binding contract, falsely without even attempting to fulfill her duties.

SUING FOR:

\$ 10,000 dollars of whatever is won off the initial lawsuit against the N.Y.P.D.

SUING FOR:

LEGAL MALPRACTICE

DENIAL OF DUE PROCESS

FRAUD

BREACH OF CONTRACT

BREACH OF FIDUCIARY DUTY

EVIDENCE:

- HIRE & CONTRACT FEE AGREEMENT
- DOCUMENTED LAW ON STATUE OF LIMITATIONS
- LEGAL DEFINITION OF FRAUD. MISREPRESENTATION

JENIERE K. EVANS

67 EAST 175TH STREET APT. # 31B

(jeniereevans83@gmail.com)
(347) 759-2733

BRONX, NY, 10453

Jeniere K. Evans